



The Chrysler Building
405 Lexington Avenue, NY, NY 10174-1299
Tel: 212.554.7800 Fax: 212.554.7700
www.mosessinger.com

August 13, 2014

BY ECF and FAX (212-805-6724)

Hon. Frank Maas
U.S. Magistrate Judge
Southern District of New York
United States District Court
500 Pearl St.
New York, NY 10007-1312

Re: Kriss, et al., v. Bayrock Group, LLC et al., 13 CV 3905 (LGS)

Dear Judge Maas:

This firm is co-counsel to defendant Felix Sater in the above 2013 case ("Kriss II," as distinguished from the 2010 "Kriss I" case). We write, in furtherance of our June 11, 2014 letter (copy attached), to respectfully request that Your Honor direct the Clerk of the Court to allow defendant's counsel access to the amended complaint apparently filed, under seal, by plaintiffs in this matter on May 22, 2014.

We will not repeat the procedural history set out in our prior letter, nor the arguments made in that letter. We merely point out that as a party defendant, Mr. Sater is entitled to see the contents of the pleading filed against him. Whether or not that results in a request for a pre-motion conference, or any other relief, is an issue for another day. While we are of course well aware of the ongoing proceedings in *Kriss I*, plaintiffs have chosen to bring this case as a separate action and they then availed themselves of the opportunity afforded by Judge Schofield to amend their initial pleading. It is therefore deeply unfair to defendant (and wholly unprecedented) for this case to remain in existence indefinitely without defendant and his counsel being able to review the allegations against him, such that he can then decide whether, when, and how to seek to clear his name and obtain dismissal of the case and redress against those who have frivolously sued him.

Thank you for your consideration of this limited request.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert S. Wolf".

Robert S. Wolf

cc (by ECF and fax): Frederick M. Oberlander, Esq.
Richard E. Lerner, Esq.
Nader Mobargha, Esq.